

**Federal Defenders
OF NEW YORK, INC.**

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November 22, 2022

VIA ECF

The Honorable Loretta A. Preska
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Marquise Austin
22 Cr 435-3 (LAP)**

Dear Judge Preska:

I write to respectfully request the Court temporarily modify Marquise Austin's bail conditions to allow him to travel with his family from their home in Little Rock, Arkansas (Eastern District of Arkansas) to Atlanta, Georgia (Northern District of Georgia) from Saturday, December 3 to Monday, December 5, 2022. Mr. Austin will be traveling with his father, Tony, a supervisor at Summit Energy, his mother, Angela, who works for the United States Department of Veteran Affairs, and his high school-aged brother, Alex.

The family will be driving and staying at an Airbnb in Atlanta near the Atlanta Falcon's football stadium, as the purpose of the trip is for the family to attend a football game between the Falcons and the family's beloved-Pittsburgh Steelers in honor of Marquise's 25th birthday, which is the same weekend. His parents have already purchased the tickets to the football game as a surprise for him without realizing he required the Court's permission to make the trip.

Marquise is currently employed at a Little Rock Walmart, working 40 hours a week. He is a high school graduate and former football player with no felony record, and he is in criminal history category I. He will be with his parents the entire weekend, and they will chaperone him at all times.

Marquise is not on location monitoring or home detention, and the only modification required is to allow travel between the Eastern District of Arkansas and the Northern District of Georgia for the dates specified. The Southern District of New York's Pretrial Services consents to this request. His officer in Little Rock objects because Marquise has tested positive for marijuana, but he is currently attending

Marquise Austin Temporary Modification of Bail Conditions

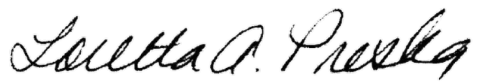
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outpatient drug treatment and has stopped smoking marijuana for at least the past 30 days, and he is doing well in the program. The Government objects because Georgia is a State where guns are easily purchased. However, because Marquise will be with his parents celebrating his birthday and attending an NFL game, there is minimal risk to his seeking out illegal conduct in a place he is unfamiliar under the watchful eyes of his parents.

Given that the trip is short, he will be chaperoned, his parents have already purchased the tickets as present for his 25th birthday, the fact that he is not on location monitoring or home detention, and Marquise has a full-time job that he is excelling in and earned even after he was arrested on this case, the defense respectfully requests the Court grant this temporary modification.

The above request for a temporary modification to the Defendant's bail conditions is approved.

SO ORDERED.



11/23/2022

Respectfully Submitted,

/s/ 

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